

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Janet Solander,

Petitioner

v.

Frank Dreesen, *et al.*,

Respondents

Case No.: 2:22-cv-01790-JAD-NJK

**Order Granting Leave
to File Second Amended Petition
and Extending Time to Pay Filing Fee or
Apply for *in Forma Pauperis* Status**

ECF Nos. 13 and 14

In this habeas corpus action, I appointed the Federal Public Defender for the District of Nevada as counsel for the petitioner, Janet Solander,¹ and counsel appeared for Solander on January 13, 2023.² On March 1, 2023, Solander filed a first amended petition³ along with a motion for leave to file a second amended petition.⁴

Solander moves for leave to file a second-amended petition within 90 days, stating that she filed her first-amended petition as “a protective petition,” believing “the limitations period may expire on or about March 8, 2023.”⁵ She adds that “[t]he purpose of the first amended protective petition is to ensure all the possible claims counsel has identified so far are timely preserved for federal review.”⁶ She requests time to file a second-amended petition “that reflects

¹ ECF No. 3.

² ECF No. 9.

³ ECF No. 11.

⁴ ECF No. 13.

⁵ *Id.* at 2.

⁶ *Ibid.*

1 counsel's thorough review, research, and investigation into this case."⁷ The respondents have
2 filed a notice stating that they do not oppose the motion.⁸

3 I find that there is good cause to allow Solander to file a second-amended petition, and I
4 grant her motion for leave to do so. Under the circumstances, I waive application of Local Rule
5 15-1(a), which generally requires a party moving for leave to amend a pleading to attach the
6 proposed amended pleading to the motion. Nothing in this order is meant to be a comment on, or
7 to affect in any manner, the application of any statute of limitations in this case.

8 In the scheduling order entered on January 23, 2023,⁹ I gave Solander until March 9,
9 2023, to pay the \$5 filing fee for this action or file a new *in forma pauperis* application. On
10 March 9, 2023, Solander filed a motion for extension of time,¹⁰ requesting a 32-day extension of
11 that deadline—to April 10, 2023. Her counsel represents that respondents' counsel does not
12 oppose the motion for extension of time.¹¹ I find that the request is made in good faith and not
13 solely for the purpose of delay, and based on good cause. I thus grant the motion for extension
14 of time.

15 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Leave to File Second
16 Amended Petition for Writ of Habeas Corpus [ECF No. 13] is **GRANTED**.

17 **IT IS FURTHER ORDERED** that Petitioner's Motion for Enlargement of Time to Pay
18 Filing Fee [ECF No. 14] is **GRANTED**.


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21 ⁷ *Id.* at 3.

22 ⁸ ECF No. 15.

23 ⁹ ECF No. 10.

¹⁰ ECF No. 14.

¹¹ *Id.* at 2.


U.S. District Judge Jennifer A. Dorsey
March 10, 2023